UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/888,085	06/22/2001	Daniel A. Preston	44375/21:1

3528
STOEL RIVES LLP
900 SW FIFTH AVENUE
SUITE 2600
PORTLAND, OR 97204

CONFIRMATION NO. 8100
FORMALITIES LETTER

OC000000006335555

Date Mailed: 07/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
  Applicant must submit $ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is $27.
  - $27 for 3 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is $ 447.**

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

09/26/2001 MBERHE   00000055 09888085

01 FC:201   355.00 OP
02 FC:205   65.00 OP
03 FC:203   27.00 OP

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Sector #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dan A. Preston, Joseph D. Preston, Robert Leyendecker,
Wayne Eatherly, and Rod L. Proctor

Application No. 09/888,085

Filed: June 22, 2001

For: **NETWORK DELAY IDENTIFICATION
METHOD AND APPARATUS**

Date: September 21, 2001

Group Art Unit: 2662

I HEREBY CERTIFY THAT THIS CORRESPONDENCE
IS BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE AS FIRST CLASS MAIL IN AN
ENVELOPE ADDRESSED TO:
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231
ON: _Sept. 21 2001_
                        Date
_____
        Signature ANDREA LEKAR
                Typed Name

TRANSMITTAL LETTER

TO THE COMMISSIONER FOR PATENTS:

Enclosed for filing in the above-referenced application are the following:

[X]   Form PTO-1533 - Notice to File Missing Parts of Application, Filing Date Granted
[X]   Fee Transmittal (in duplicate)
[X]   Patent Application Fee Determination Record
[X]   Combined Declaration and Power of Attorney (four counterparts)
[X]   Surcharge for Late Filing of Oath or Declaration
       [X] $ 65.00 - small entity
[X]   A check for $477.00 in payment of the above fee(s).
[X]   Return receipt postcard

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with filing of these papers, or credit overpayment, to Account No. 19-4455.

Respectfully submitted,

Airbiquity Inc., assignee

By _____
Kassim M. Ferris
Registration No. 39,974

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, Oregon 97204-1268
Telephone: (503) 224-3380
Attorney Docket No. 44375/21:1

PTO/SB/17 (09–00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

Complete *if Known*	
Application Number	09/888,085
Filing Date	June 22, 2001
First Named Inventor	Dan A. Preston
Examiner Name	
Group Art Unit	2662
Attorney Docket No.	44375/21:1

TOTAL AMOUNT OF PAYMENT	($) 447.00

METHOD OF PAYMENT

1. [X] The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: **19-4455**

Deposit Account Name: **Stoel Rives LLP**

[X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

[ ] Applicant claims small entity status. See 37 CFR 1.27

2. [X] **Payment Enclosed:**

[X] Check [ ] Credit card [ ] Money Order [ ] Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) ($) 355

2. EXTRA CLAIM FEES

	Extra Claims		Fee from below	Fee Paid
Total Claims	23	-20** = 3	X 9 =	27
Independent Claims	3	-3** = 0	X 0 =	0
Multiple Dependent			=	0

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($) 27

**or number previously paid, if greater; For Reissues, see above*

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for *ex parte* reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($) 65

SUBMITTED BY

		Complete *(if applicable)*	
Name (Print/Type)	KASSIM M. FERRIS	Registration No. (Attorney/Agent) 39,974	Telephone 503.224.3380
Signature		Date	9/21/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Portlnd2-4329423.1 0044375-00021
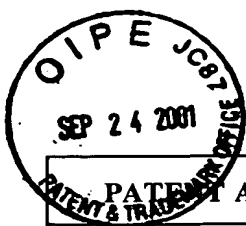
PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number
09/888,085

CLAIMS AS FILED - PART I

FOR	(Column 1) NUMBER FILED		(Column 2) NUMBER EXTRA	SMALL ENTITY RATE	FEE	OR	OTHER THAN SMALL ENTITY RATE	FEE
BASIC FEE (37 CFR 1.16(a))					$ 355	OR		$
TOTAL CLAIMS (37 CFR 1.16(c))	23	minus 20 =	* 3	x $ 9 =	27	OR	x $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	3	minus 3 =	* 0	x =	0	OR	x =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ =	0	OR	+ =	

* If the difference in column 1 is less than zero, enter "0" in column 2

	SMALL ENTITY TOTAL	382	OR	OTHER THAN SMALL ENTITY TOTAL

CLAIMS AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE	ADDI-TIONAL FEE	OR	OTHER THAN SMALL ENTITY RATE	ADDI-TIONAL FEE
AMENDMENT A	Total (37 CFR 1.16(c))	*	Minus	**	=	x $ =		OR	x $ =	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	x =		OR	x =	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					x =		OR	x =	
						TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE	ADDI-TIONAL FEE	OR	RATE	ADDI-TIONAL FEE
AMENDMENT B	Total (37 CFR 1.16(c))	*	Minus	**	=	x $ =		OR	x $ =	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	x =		OR	x =	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					x =		OR	x =	
						TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE	ADDI-TIONAL FEE	OR	RATE	ADDI-TIONAL FEE
AMENDMENT C	Total (37 CFR 1.16(c))	*	Minus	**	=	x $ =		OR	x $ =	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	x =		OR	x =	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					x =		OR	x =	
						TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.